REMARKS

Claims 1-38, and 43-51 are pending in the application. Claims 2, 14, 21, and 33 are cancelled without prejudice, and claims 1, 3, 13, 15, 20, 22, 32, 34, and 43-46 are amended by this paper. No new matter is believed added by this paper. Support for all amendments exists in the specification and claims as originally filed, and all such matter has previously been searched by the Examiner. All pending claims continue to stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,449,601 (hereinafter "Friedland"), in view of U.S. Patent No. 6,510,434 (hereinafter "Anderson"). Claims 43-45 continue to stand further rejected under 35 U.S.C. §101 for failing to provide a concrete, useful, and tangible output. Applicants respectfully request reconsideration and further examination of the pending claims in view of the arguments presented herein and in accordance with 37 CFR §§1.113(c), 1.116.

Below, Applicants present: (1) a brief description of amendments presented herein; (2) a traversal to the Examiner's rejections under §103(a); (3) a traversal of the Examiner's rejections under §101; and (4) a brief conclusion.

1) Amendments

Claims 1, 13, 20, and 32 are amended herein to more distinctly point out the claimed embodiments and to generally incorporate the limitations of now cancelled claims 2, 14, 21, and 33 respectively. Claims 3, 15, 22, and 34 are amended to correct dependencies in light of the cancelled claims, and claims 43-46 are amended to more distinctly point out how they provide concrete, useful, and tangible output. These clarifying amendments are entered for the sole purpose of advancing prosecution in the present case.

Claims 1 and 20 are amended to clarify that the search request is directed to searching "non-standardized" and "decentralized" content. Claims 13 and 32, already having pointed out that the content is "decentralized", are amended to further clarify that the content is also "non-standardized". One advantage of the embodiments presented in claims 1, 13, 20, and 32 is that content searches may be conducted through content that is non-standardized and decentralized. The ability to search through non-standardized and decentralized content provides greater search efficiency and reduces the burden on both content providers and portal servers (such as search

engines). Support for these amendments can be found in the specification, for example, at pg. 6 at lines 1-4, pg. 11 at paragraph 4, line 4 and pg. 12, lines 1-2.

Claims 1 and 20 are further amended to clarify that the provider tags included within the content are part of a "non-standardized provider tagging standard", and that the content server is associated with "at least one content provider". In certain embodiments, such as those presented in claims 1 and 20, one or more non-standardized provider tagging standards are associated with the content to be searched. Content providers may therefore utilize non-standardized tagging standards to tag their content. The content provider may then make the content available, for example, by posting it on a content server. Support for these amendments can be found in the specification, at, for example, pg. 7, lines 6-19.

Claims 1, 13, 20, and 32 are also amended to generally include the limitations of now cancelled claims 2, 14, 21, and 33. That is, claims 1, 13, 20, and 32 are amended to point out that "a summary of content matching the search request [is generated]." Generating a summary of content matching the search criteria may provide a user/searcher with a listing or selection of content that is likely to contain the information sought. For example, in currently claimed embodiments, a search for "1995 Porsche for sale" may return a summary of available non-standardized, decentralized content that relates to a 1995 Porsche offered for sale (see, e.g., pg. 2, line 15 to pg. 3, line 20). Previous systems may have returned a listing of content relating to Porsches, but not specifically related to a 1995 Porsche being offered for sale, or did not allow searching of non-standardized, decentralized content at all. Support for these amendments can be found in the specification at, for example, pg. 9, paragraph 2, and in the now canceled original claims 2, 14, 21, and 33.

2) Rejections under 35 U.S.C. §103

The Examiner rejects all pending claims under §103 as being unpatentable over Friedland in view of Anderson. Applicants respectfully assert that neither Friedland nor Anderson, either alone or in combination, teach or suggest elements of the claimed embodiments. For example, neither reference teaches or suggests elements as presented in the claims (at least as amended), including (1) using provider tags and portal tags, (2) corresponding a provider tag with an

associated portal tag, or (3) receiving a search request from a user to search non-standardized, decentralized content.

As described in his Abstract, Friedland generally describes a "distributed live auction" and "[a] method for distributing a live auction over the Internet to remote bidders". Friedland describes "the distribution of real-time, live auctions, conducted by a live auctioneer in the presence of an audience of bidders, to remote bidders via the Internet" (Col. 2, line 66 to Col. 3, line 2). In general, Friedland uses an "auction server" to conduct these auctions. The "auction server" may also "manage[] extensive information about current and future auctions, including detailed inventory lists and lot assignments" (Col. 3, lines 38-40).

Anderson generally describes a system for "[r]etreiving information from a database using an index of XML (eXtensible Markup Language) tags and metafiles" (see, e.g., the Abstract). Anderson uses a database index that contains "tags that correspond to categories and domains" (Col. 2, lines 41-42). In general, Anderson receives search requests, identifies terms related to domain or category tags, identifies metafiles associated with the tags, and creates a unique key to use in searching the indexed database (Col. 3, lines 5-43).

a) The references fail to teach or suggest the use of provider tags and portal tags

Neither Friedland nor Anderson teach or suggest a system that uses both provider tags and portal tags as claimed in some embodiments (e.g., as presented in independent claims 1, 13, 17, 18, 20, 32, 36, 37, and 43-51).

Some embodiments utilize two or more tagging standards to overcome shortcomings of prior systems. For example, embodiments allow the use of a "portal" tagging standard in conjunction with one or more "provider" tagging standards. As described in the specification at, for example, page 14-15, using this method:

> "content providers retain the flexibility to tag content in accordance with their own needs and do not have to restrict content to the requirements of any one portal server's tagging standard. Further, portal servers can create portal tagging standards according to their own needs and changing conditions while being able to retain access or gain access to a preexisting content base regardless of the content provider's tagging scheme."

The Friedland reference fails to teach or suggest the use of even a single tagging standard, much less a system using more than one tagging standard. The Anderson reference fails to make up for the deficiencies of Friedland, and fails to teach or suggest the use of multiple tagging standards. The Examiner states that "Anderson teaches(col 2 line 36-col 3 line 43) wherein the portal tagging standard requires tags (col 8 line 65-col 9 line 64) for domains and categories(Fig 6A)(Fig 5)" (Paper No.12, pg.2, bullet 6, line 6 to pg.3, line 1). That is, the Examiner notes that Anderson teaches a single tagging standard, and may provide some capability to perform searches using tags. Applicants are not claiming to have invented the use of a single tagging standard, or the mere ability to search using tags. Instead, Applicants have developed a new and useful system that utilizes both portal tags and provider tags in a manner that provides great flexibility in searching and storing content. There is simply no teaching or suggestion in Anderson to provide such multiple tagging schemes.

Because neither of the references, alone or in combination, teach or suggest the use of both provider tags and portal tags, the cited references fail to teach or suggest embodiments as recited in independent claims 1, 13, 17, 18, 20, 32, 36, 37, and 43-51. Further, there is simply no teaching or suggestion in either reference to amend either system to provide such multiple tagging standards.

b) The references fail to teach or suggest corresponding a provider tag with an associated portal tag

Neither Friedland nor Anderson teach or suggest a system that relates or corresponds a provider tag with an associated portal tag as claimed in some embodiments (e.g., as presented in independent claims 1, 13, 17, 18, 20, 32, 36, 37, and 43-51).

Some embodiments allow cross-referencing between different tagging standards to provide a number of benefits. For example, as described in the specification at, for example, pages 29-30:

> "the provider tags do not have to correspond in name to the portal tags of the portal tagging standard for the category and type of content. Moreover, each provider may have its own unique provider tags. Instead of requiring identically named portal and provider tags, key information is used to cross-reference each provider tag to a corresponding portal tag. ... In this way each content provider

> can create and tag their content using their own tagging standard so that the same content can be used with multiple portal servers simply by adjusting the key information to comply with each portal server's tagging standard."

Neither Friedland nor Anderson teach or suggest a system that relates or corresponds a provider tag with an associated portal tag. The Friedland reference, as discussed above, simply fails to teach or suggest any tagging standard. Without a teaching of a single standard, there is no need for a cross reference or correspondence between standards. The Anderson reference fails to make up for this deficiency of Friedland. As discussed above, Anderson describes a single tagging scheme. A single tagging scheme does not require or benefit from any cross-reference or correspondence between standards. Accordingly, Applicants respectfully assert that neither of the references, alone or in combination, teach or suggest embodiments as claimed and that claims 1, 13, 17, 18, 20, 32, 36, 37, and 43-51 are patentable over the cited references. Further, Applicants respectfully assert that there is simply no motivation in either reference to amend either reference to provide the claimed features of relating or corresponding a provider tag with an associated portal tag.

c) The references fail to teach or suggest receiving a search request from a user to search non-standardized, decentralized content

Neither Friedland nor Anderson teach or suggest a system that receives a search request from a user to search non-standardized, decentralized content as recited in some embodiments (e.g., as as presented in independent claims 1, 13, 20, 32, 44, and 48 as amended).

Some embodiments allow a search to be conducted among "non-standardized" and "decentralized" content. This is achieved, in some embodiments, through the use of several tagging standards. For example, content tagged with a "provider" tagging standard may be searched via a central site or server utilizing a "portal" tagging standard. A cross-reference between the two standards may be established and used to assist in the searching of the non-standardized content. The use of the "portal" and "provider" tagging standards in conjunction with the cross-reference (or key information) also allows content to be decentralized.

For example, content can be associated with a portal site and need not be stored by the portal site. Some previous systems (such as those discussed in the background section) required

content providers to store their content at the portal site. Some embodiments of the present invention allow content to be decentralized, freeing portal storage space. Further, the ability to search non-standardized, decentralized content helps searchers discover content that previously may not have been accessible to them.

Neither the Friedland nor the Anderson reference teach or suggest such a system that receives a search request from a user to search non-standardized, decentralized content. As discussed above, the Friedland reference fails to teach or suggest even a single tagging standard, and thus is generally unable to search non-standardized, decentralized content as recited in the present claims. The Anderson reference fails to make up for Friedland's deficiencies. The Examiner notes that Anderson provides a single tagging scheme "as well as conducting search queries using tags(Fig 6C)" (Paper No. 12, pg. 3, lines 4-5). Again, Applicants are not claiming to have invented the use of a single tagging system to perform searches. Applicants have developed a new and useful tool (using multiple tagging schemes, among other things) to search non-standardized, decentralized content. The single tagging scheme of Anderson requires that all content, to be searchable, be tagged using Anderson's single tagging standard. That is, Anderson requires that all content be "standardized". Standardized content is not non-standardized, decentralized content. As such, Applicants respectfully assert that neither Friedland, nor Anderson (alone or in combination) teach or suggest embodiments of the present invention. Further, Applicants respectfully suggest that there is simply no motivation or suggestion in either reference to modify either reference to arrive at the present invention.

Dependent claims 3-12, 15-16, 19, 22-31, 34-35, and 38 are believed patentable at least as depending from patentable base claims. Applicants accordingly request that the §103 rejections of the pending claims be withdrawn.

Finally, with respect to the §103 rejection, Applicants respectfully assert that the Examiner has continually failed to respond to the arguments presented by the Applicants as required under MPEP §707.07(f). The Examiner has further continually failed to apply §103 by failing to apply the alleged teachings of the cited references to the elements of the presented claims (MPEP §§706.02(j), 2141.02), and by not satisfying the Examiner's burden of setting forth a *prima facie* case for obviousness (MPEP §§706.02(j)), 2142, 2143). Applicants respectfully request that the

Examiner consider and, if necessary, respond to Applicants arguments presented herein in order to advance the case.

3) Rejections under 35 U.S.C. §101

The Examiner again rejects claims 43-45 as recited non-statutory subject matter. Applicants respectfully assert that the claims as presented do recite statutory subject matter (and were previously specifically amended to utilize the language of so-called "Beauregard" claims). However, to advance the case, Applicants have amended the claims (including claim 46 which was not specifically rejected by the Examiner, but which Applicants assume is subject to a similar rejection) to more affirmatively recite a tangible effect (e.g., to cause the operation of a processor). In particular, Applicants have adopted language similar to that included in several recently issued U.S. Patents that were examined by the present Examiner (including claim 21 of U.S. Patent Nos. 6,611,817; claim 1 of U.S. Patent No. 6,587,837; and claim 5 of U.S. Patent No. 6,564,192). Applicants believe the claims recite proper subject matter under 35 USC §101 and request that the rejection be withdrawn.

4) Conclusion

Accordingly, Applicants respectfully assert that each of the claims is patentable over the reference cited (alone or in combination with other references). Applicants therefore respectfully request that the rejections be withdrawn and the claims allowed. If any issues remain, or if the Examiner has any further suggestions for expediting allowance of the present application, the Examiner is kindly invited to contact Kurt M. Maschoff using the information provided below.

Respectfully submitted,

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Date

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